

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

Barbara A. LEWIS

Plaintiff

v.

UNITED STATES of America

Defendant

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Case No. 2:07-cv-18 MHT

Demand for Jury Trial

REPORT OF THE PARTIES' PLANNING MEETING

1. Pursuant to Federal Rule of Civil Procedure 26(f), the parties conducted a meeting by telephone on March 12, 2007. James M. Sizemore, Jr., attended on behalf of the Plaintiff, and Gregory L. Jones attended on behalf of the Defendant.

2. The parties propose that discovery be commenced immediately and that the parties be permitted to file dispositive motions by September 17, 2008.

3. **Pre-Discovery Disclosures.** The parties will exchange by April 30, 2007, the information required by Rule 26(a)(1) of the Federal Rules of Civil Procedure.

4. **Discovery Plan.** The parties jointly propose to the Court the following discovery plan:

a. Plaintiff does not require further discovery unless in response to matters raised by Defendant's discovery.

b. Discovery will be needed by the Defendant as to the following subjects, which include but are not limited to:

whether Plaintiff qualifies for the earned income credit for the 2003 tax year, and whether Plaintiff has satisfied the requirements necessary to obtain attorney's fees.

c. Maximum of 25 interrogatories on the merits by each party to any other party. Responses due 20 days after service.

d. Maximum of 10 requests for production on the merits by each party. Responses due 20 days after service.

e. Maximum of 2 depositions for Plaintiff and 5 depositions for the Defendant. Depositions shall be limited to seven (7) hours. The parties reserve the right to move the Court for additional depositions if necessary.

f. Plaintiff's witness and exhibit lists will be submitted by September 17, 2007. Defendant's witness and exhibit list will be submitted 14 days thereafter. Plaintiff and Defendant have 14 days to object to the lists submitted by the opposing party.

5. **Trial.** The parties jointly propose that the trial be set for jury selection on January 28, 2008.

6. **Pre-trial Conference.** The parties request a pre-trial conference not earlier than December 17, 2007.

7. **Dispositive Motions.** The parties propose that dispositive motions be filed not later than September 17, 2007.

8. **Discovery Deadline.** The parties suggest a discovery deadline of October 22, 2007, 35 days after the deadline for dispositive motions.

9. **Settlement Conference.** On or before November 12, 2007, counsel for the parties shall conduct a settlement conference at which counsel shall engage in good faith settlement negotiations. Plaintiff's counsel has offices in Montgomery, Alabama, and Alexander City, Alabama, and Defendant's counsel has his office in Washington, D.C. According to mapquest.com, the offices of counsel are more than 780 miles from each other. The parties request, therefore, that the Court permit them to conduct the settlement conference by telephone.

/s/ James M. Sizemore, Jr.
Attorney for Plaintiff

/s/ Gregory L. Jones
Attorney for Defendant